UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,068	07/31/2003	Yen-Fu Chen	AUS920030521US1	3486

45371 7590 11/21/2007	EXAMINER
IBM CORPORATION (RUS) c/o Rudolf O Siegesmund Gordon & Rees, LLp 2100 Ross Avenue Suite 2800 DALLAS, TX 75201	UTAMA, ROBERT J

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
11/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/631,068	CHEN ET AL.
Office Action Summary	Examiner	Art Unit	
	Robert J. Utama	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *14 September 2007*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1,4-6,8-15,17-19 and 21-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1, 4-6, 8-15, 17-19 and 21-26* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Status of Claim

This office action is a response for the amendment filed on: 09/20/2007. The current status of

claims is as follow: Claims 1, 4-6, 8-15, 17-19 and 21-26 are still pending and claims 2-3, 7,

16, 20 and 27-41 are cancelled.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

2.   **Claim 1, 4, 14 and 17 rejected under 35 U.S.C. 103(a) as being unpatentable over**

Stansvik US 2003/0027122, in view of Edberg 5,873,111, in view of Kobayashi

2001/0019329 and further in view of Loebner 5,525,060.

Claim 1 and 14: Stansvik provide a teaching of a computer-implemented method for reviewing

vocabulary comprising of: using a computer and a graphical user interface on a display

connected to a computer and responsive to a user selecting a chapter from a plurality of

chapters in a text book (see Stansvik paragraph 70), displaying a plurality of vocabulary word

from a chapter (see Stansvik paragraph 45), displaying a vocabulary word in the question

language and responsive to the user inputting an answer in the answer language, determining

if the answer is a correct answer (see Stansvik FIG.5). Stansvik also provided a teaching if the

answer is a correct answer is performed by determining whether the vocabulary of the word

and the answer both match an entry in dictionary encoded (see Stansvik paragraph 57).

However, Stansvik is silent on what kind of encoding used in the dictionary. Edberg

provide a teaching in the background of the invention that an electronic dictionary is better

served when implemented using the Unicode encoding (see Edberg '111 col. 2:7-25 and col.

3:9-42). Therefore, one of ordinary skilled in the art would have been motivated to use Unicode

as an encoding system of the word in the dictionary, because Unicode encoding would have

allow for a better representation of different character/symbol that is unique of each particular

language (see Edberg 2:7-25).

Stansvik discloses the claim invention except for the limitation of a user selecting a

question language from English, Simplified Chinese, Traditional Chinese and Pin Yin and the

limitation of a selecting the answer language from English, Simplified Chinese, Traditional

Chinese and Pin Yin. However the Loebner reference provides a teaching a user selecting a

question language from English, Simplified Chinese, Traditional Chinese and Pin Yin and the

limitation of a selecting the answer language from English, Simplified Chinese, Traditional

Chinese and Pin Yin (see col. 3:5-37). For example, a user can choose the English language as

the question language by selecting surface 1A and select traditional Chinese as the answer

language by flipping to surface 3B (see Loebner col. 3:5-20). Therefore, it would have been

obvious to include the feature of having English, Simplified Chinese, Traditional Chinese and

Pin Yin in order to facilitate the teaching of Chinese language and its writing system (see

Loebner col. 1:57-67).

Stansvik fail to provide a teaching on responsive to the vocabulary word or the answer being in

Simplified Chinese, translating the vocabulary word or the answer into Traditional Chinese by

accessing a Simplified/Traditional Chinese database. However, Kobayashi provide a teaching

on responsive to the vocabulary word or the answer, translating the vocabulary word or the

answer into Simplified Chinese by accessing a Simplified/Traditional Chinese database (see

Kobayashi Paragraph 91 and 46 and FIG. 3). Therefore, it would have been obvious for one

ordinary skilled in the art to include the feature of translating the vocabulary word or the

answer into Simplified Chinese by accessing a Simplified/Traditional Chinese database, as

taught by Kobayashi, in order to show the student the characterization of Chinese words using the traditional Chinese or simplified Chinese.

Specifically on claim 14. It also obvious to one of ordinary skill in the art at the time of the invention to automate, the selection of a question language from English, Simplified Chinese, Traditional Chinese and Pin Yin and the limitation of a selecting the answer language from English, Simplified Chinese, Traditional Chinese and Pin Yin using a graphical user interface, since it has been held that broadly providing an automatic mean to replace a manual activity which accomplished the same result involves only routine skill in the art. In Re Venner 120 USPQ 192.

Claim 4 and 17: Stansvik provided a teaching of displaying a statistic regarding the user's performance in answering plurality of question (see FIG. 9 and paragraph 37).

3.   **Claim 11 and 24 rejected under 35 U.S.C. 103(a) as being unpatentable over Stansvik US 2003/0027122, in view of Edberg 5,873,111, in view of Kobayashi 2001/0019329, in view of Loebner 5,525,060 and further in view of Walker 2002/0151366**

Claim 11 and 24: Stansvik fails to provide the teaching of changing the font size of the characters displayed on the graphical user interface. However the Walker reference provides a teaching on changing the font size of the characters displayed on the graphical user interface (see paragraph 69). Therefore, it would have been obvious to include the feature of changing the font displayed on the graphical user interface, as taught by Walker et al, in order to suite the user's preference (see paragraph 5).

4.   **Claim 5-6, 8-10, 18-19, 21-23 rejected under 35 U.S.C. 103(a) as being unpatentable over Stansvik US 2003/0027122 and in view of Kobayashi 2001/0019329 and further in view of Parry et al 6,077,08599**

Claim 5-6 and 18-19: Stanvik fails to provide a teaching on calculating the probability factors of vocabulary words, wherein the probability factors determine the probability (or frequency) that the vocabulary word appear in question.

However, Parry provides a teaching of on calculating the probability factors of vocabulary words, wherein the probability factors determine the probability (or frequency) that the vocabulary word appear in question (see Parry col. 18:60-19:11). Therefore, it would have been obvious at the time of the invention for one of ordinary skilled in the art to include the features of on calculating the probability factors of vocabulary words, wherein the probability factors determine the probability (or frequency) that the vocabulary word appear in question, as taught by Parry, into the combination of Stanvik and Kobayashi because it would enable the system to optimizes the study time by identifying areas where the student need to focus on (Parry Col. 3:5-20).

Claim 8-9 and 21-22: Stansvik fails to provide a teaching where if the response to a determination that the answer is correct, decrementing probability factor for the vocabulary word and if the response to a determination that the answer is incorrect, incrementing probability factor for the vocabulary word.

However, Parry provide a teaching where if the response to a determination that the answer is correct, decrementing probability factor for the vocabulary word and if the response to a determination that the answer is incorrect, incrementing probability factor for the vocabulary word (see Parry col. 18:60-19:11). Therefore, it would have been obvious at the time of the invention for one of ordinary skilled in the art to include the features of on if the response to a determination that the answer is correct, decrementing probability factor for the vocabulary word and if the response to a determination that the answer is incorrect, incrementing probability factor for the vocabulary word, as taught by Parry, into the combination of Stansvik and Kobayashi because it would enable the system to optimizes the study time by identifying areas where the student need to focus on (Parry Col. 3:5-20).

Claim 10 and 23: Stansvik fails to provide a teaching where is responsive to a determination

that all vocabulary words in a chapter have a probability of one, indicating that the chapter is

completed.

However, Parry provide a teaching where is responsive to a determination that all vocabulary

words in a chapter have a probability of one, indicating that the chapter is completed (see Parry

col. 19:51-55).   Therefore, it would have been obvious at the time of the invention for one of

ordinary skilled in the art to include the features of on if the response to a determination that

the answer is correct, decrementing probability factor for the vocabulary word and if the

response to a determination that the answer is incorrect, incrementing probability factor for

the vocabulary word, as taught by Parry, into the combination of Stansvik and Kobayashi

because it would enable the system to optimizes the study time by identifying areas where the

student need to focus on (Parry Col. 3:5-20).

Response to Arguments

5.   Applicant's arguments filed 09/14/2007 have been fully considered but they are not

persuasive.

6.   The applicant has traverse the examiner use of official notice as a result new references

has been presented. The Loebner references provided a teaching that a English speaking

student wishing to read and speak the Chinese language would be required to map a word

from English to pin yin (for pronunciation), associate the English word with the correct

traditional and simplified character. The examiner realized that the Loebner reference is not a

computer based reference, however, the reference does show the motivation and need for a

system that teaches Chinese language to an English-speaking student to be able to go back

and forth between English and Chinese various writing system (Pinyin, traditional Chinese and

Simplified Chinese).   It also obvious to one of ordinary skill in the art at the time of the

invention to automate, the selection of a question language from English, Simplified Chinese,

Traditional Chinese and Pin Yin and the limitation of a selecting the answer language from

English, Simplified Chinese, Traditional Chinese and Pin Yin using a graphical user interface,

since it has been held that broadly providing an automatic mean to replace a manual activity

which accomplished the same result involves only routine skill in the art. In Re Venner 120

USPQ 192.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy

as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Robert J. Utama whose telephone number is (571) 272-1676.

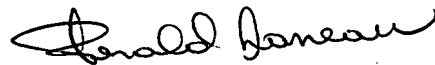The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert Pezutto can be reached on (571)272-6996. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RU

RONALD LANEAU
PRIMARY EXAMINER